

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11372 SENATE STATE AFFAIRS

HB

534

# SENATE COMMITTEE REPORT

DATE: 04/20/04

FURTHER: Finance

DATE TURNED IN TO OFFICE: 4/28/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 534(FIN)

## HB 534 MAKE OFFICE OF VICTIMS RIGHTS PERMANENT

"An Act repealing the scheduled termination date of the office of victims' rights."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
Leg.	4/5/04	✓			2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John Casady</i>	✓			
<i>Bill K. ...</i>	✓			
<i>Fisher ...</i>	✓			
CHAIR: <i>[Signature]</i>	<			

# REPRESENTATIVE RALPH SAMUELS

HOUSE DISTRICT 29

## CS HB 534 Sponsor Statement

“An Act repealing the scheduled termination date of the office of victims’ rights.”

CS HB 534 simply repeals the sunset date of the Office of Victims’ Rights (OVR).

The OVR provides legal counsel, education, and assistance to victims of crime. Because many of the cases OVR handles can take several years to resolve, a limit on their existence could potentially leave a victim without help halfway through a case. In addition, the OVR is already included in the Legislature’s annual audit.

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 2  
Bill Version: CSHB 534(FIN)  
(H) Publish Date: 4/6/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title: "An Act extending the termination date of  
the office of victims' rights." BRU: Legislative Council  
Sponsor: House Rules by Request-Legis Budg & Audit Component: Council and Subcommittees  
Requestor: House Finance Committee Component No. 783

### Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	0.0	0.0	483.6	483.6	483.6	483.6
Travel	0.0	0.0	4.5	4.5	4.5	4.5
Contractual	0.0	0.0	51.5	51.5	51.5	51.5
Supplies	0.0	0.0	2.0	2.0	2.0	2.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>541.6</b>	<b>541.6</b>	<b>541.6</b>	<b>541.6</b>

<b>CAPITAL EXPENDITURES</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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### FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1171 PFD Fund	0.0	0.0	541.6	541.6	541.6	541.6
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>541.6</b>	<b>541.6</b>	<b>541.6</b>	<b>541.6</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

### POSITIONS

Full-time			7	7	7	7
Part-time						
Temporary						

### ANALYSIS: *(Attach a separate page if necessary)*

The Legislature's budget currently includes funding for the Office of Victims' Rights. If this legislation passes, the funding for the Office of Victims' Rights will continue to be included in the Legislature's budget.

Prepared by: Karla Schofield, Deputy Director Phone 465-6626  
Division: Administrative Services Date/Time 4/5/04 10:08 AM  
Approved by: Pamela Varni, Executive Director Date 4/5/2004  
Agency: Legislative Affairs Agency

**HB**

**536**

# SENATE COMMITTEE REPORT

DATE: 5/2/04

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 5/7/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 536(MLV)

## HB 536 PFUND APPLICATION DEADLINES: MILITARY

"An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces, and to payment of certain 2003 and 2004 dividends; and providing for an effective date."

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- Same Title
- New Title

**House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DOR	5/6/04			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Cavender</i>			✓	
<i>Robert J. Starnes</i>			✓	
CHAIR: <i>[Signature]</i>			✓	

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# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
Bill Version: CS HB 536 (STA)  
( ) Publish Date: 5/1/2004

Revision Date/Time (Note if correction): 5/5/2004 Dept. Affected: Revenue  
Title Related to applications for permanent RDU Revenue Programs & Support  
Component Permanent Fund Dividend  
Sponsor House Rules by request  
Requester Senate State Affairs Component No. 981

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1950 Permanent Fund Dividend Fund						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						0
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
This bill proposes to extend the filing period for the 2003 and 2004 dividends for 90 days after the effective date of the bill for otherwise eligible active duty military PFD applicants who were also eligible for hostile fire or imminent danger pay. The cost of processing the additional applications that would result from this legislation is negligible.

Prepared by: Sharon Barton Phone 465-4785  
Division: Permanent Fund Dividend Division Date/Time 5/6/04 11:07 AM  
Approved by: \_\_\_\_\_ Date 5/6/2004  
Agency: \_\_\_\_\_

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHB 536(MLV)  
 (H) Publish Date: 4/7/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Revenue  
 Title Permanent Fund Application RDU Revenue Programs & Services  
Deadlines: Military Component Permanent Fund Dividend  
 Sponsor Rules by Request of EDT  
 Requester House Military and Veterans' Affairs Component No. 981

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual	25.0					
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>25.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
1950 Permanent Fund Dividend Fund	25.0					
<b>TOTAL</b>	<b>25.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						0
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This bill proposes to extend the filing period from March 31 to August 31 in any dividend year for individuals who are absent from the state, serving as a member of the US Armed Forces, and eligible for hostile fire or imminent danger pay. The fiscal note would cover costs for advertising the change in 2005.

Prepared by: Sharon Barton Phone 465-4785  
 Division: Permanent Fund Dividend Division Date/Time 4/3/04 7:29 PM  
 Approved by: Steve Porter, Deputy Commissioner Date 4/3/2004  
 Agency: Department of Revenue

# Alaska State Legislature



## **Representative Cheryll Heinze Sponsor Statement HB 536**

**“An Act relating to applications for permanent fund dividends by certain individuals serving in the armed forces; and providing for an effective date.”**

Currently, Alaskan men and women who serve in the armed forces are being denied their permanent fund dividend checks because they were in situations where communications were unavailable during the application period. Alaskans who fought in the recent wars in Iraq and Afghanistan have had their applications rejected because they either didn't get their application forms in time or were unable to send them out.

These Alaskan men and women are patriots who serve their country faithfully in times of crisis and need, they deserve to be praised for their bravery and fortitude not punished for it. HB 536 amends the current PFD application process to allow for members of the armed services who receive hostile fire/imminent danger pay during the application period to receive an application extension. This would give members of the armed services the leeway they need to submit their PFD applications on time. I urge you to support this bill.

### **Frequently Asked Questions.**

#### **When is the filing period for the Permanent Fund Dividend?**

The dividend filing period is January 2 through March 31 each year. You must file an application every year to apply for a dividend. Late applications will be denied.

#### **How do I know if the PFD Division needs any additional information?**

The Division will send you a letter if we need additional information. The letter will be sent to your most current address on file.

#### **How do I inform the PFD Division of an address change?**

Complete a Change of Address form and submit it to the Permanent Fund Dividend Division. You may obtain a Change of Address form by:

- ◆ downloading a form off our web site at [www.pfd.state.ak.us](http://www.pfd.state.ak.us) or
- ◆ contacting us at a PFD Information Office (back side of this brochure) and request a form.

#### **Do I need to submit a copy of my Leave and Earnings Statement (LES) with my application?**

No. The PFD Division will run a tape match with Department of Defense (DOD) to check for military members with Alaska as their state of legal residence. If for some reason your information does not match DOD records and the division needs a copy of your LES or other documents related to your enlistment or discharge, the division will contact you.

[www.pfd.state.ak.us](http://www.pfd.state.ak.us)

For detailed eligibility criteria, contact one of the dividend information offices below, or visit our web site at [www.pfd.state.ak.us](http://www.pfd.state.ak.us)

### **PFD Information Office Addresses**

#### **Anchorage Dividend Information Office**

Alaska Department of Revenue  
Permanent Fund Dividend Division  
1016 W. 6th Ave.  
Anchorage, AK 99501  
(907) 269-0370  
(907) 269-0384 (fax)  
Located on the corner of 6th and K

#### **Fairbanks Dividend Information Office**

Alaska Department of Revenue  
Permanent Fund Dividend Division  
1005 Cushman Street, Suite 1  
Fairbanks, AK 99701  
(907) 451-2820  
(907) 451-5142 (fax)

#### **Juneau Dividend Information Office**

Alaska Department of Revenue  
Permanent Fund Dividend Division  
PO Box 110461  
Juneau, AK 99811-0461  
(907) 465-2326  
(907) 465-3470 (fax)  
11th floor of the State Office Building  
333 Willoughby Avenue

Toll-free number (800) 733-8813

- ◆ Available in the state of Alaska year-round.
- ◆ Available from outside the state of Alaska October through March

Or you can E-mail us at:

[dividend\\_information@revenue.state.ak.us](mailto:dividend_information@revenue.state.ak.us)

**State of Alaska  
Department of Revenue**

# ***Military Guide for the Alaska Permanent Fund Dividend***

ALASKA



***Permanent Fund Dividend Division***

This brochure provides general information about the Permanent Fund Dividend program as it relates to active duty military and their spouse and dependents.

## **Active duty military**

### **How to establish Alaska Residency**

#### **You must:**

- ✓ Arrive in Alaska on or before December 31, of the year before the qualifying year and
- ✓ Take at least one step beyond just being physically present in Alaska.  
**For Example:**
  - ◆ Obtain an Alaska driver's license or ID card,
  - ◆ Register to vote,
  - ◆ Register a vehicle,
  - ◆ Sign a lease for non-governmental housing or purchase a home.
- ✓ Maintain Alaska residency at all times during the qualifying year and intend to remain an Alaska resident.
- ✓ **NOTE:** Qualifying year means the calendar year prior to the year you are applying for. For example, if you apply for a dividend in 2002, the qualifying year is 2001.

#### **What you will need to supply to the PFD Division**

- ✓ Original birth certificate, passport, or citizenship papers.
- ✓ A completed PFD adult application (including a supplemental schedule if required) and requested documentation.

[www.pfd.state.ak.us](http://www.pfd.state.ak.us)

## **Spouse**

### **How to establish Alaska Residency**

#### **A spouse must:**

- ✓ Arrive in Alaska on or before December 31, of the year before the qualifying year and
- ✓ Take at least one step beyond just being physically present in Alaska.

#### **For Example:**

- ◆ Obtain an Alaska driver's license or ID card,
- ◆ Register to vote,
- ◆ Register a vehicle, or
- ◆ Sign a lease for non-governmental housing or purchase a home.
- ✓ Maintain Alaska residency at all times during the qualifying year and intend to remain an Alaska resident.

#### **What a spouse will need to supply to the PFD Division**

- ✓ Original birth certificate, passport, or citizenship papers.
- ✓ A completed PFD adult application (including a supplemental schedule if required) and requested documentation.

## **Dependent Children**

For the PFD program, a child is a person under the age of 18 unless legally emancipated. A child's eligibility for the PFD is based on the eligibility of the parent or guardian who applies for the child. A child must also meet all other requirements of the PFD program.

#### **What you'll need to supply to the PFD Division for children**

- ✓ A completed PFD child application, and an original birth certificate, passport, or citizenship papers (if you are filing for the child's first dividend).

### **Filing for the PFD while stationed outside of Alaska?**

- ✓ An application will only be mailed if you specifically request one. You may also download an application form through our web site at [www.pfd.state.ak.us](http://www.pfd.state.ak.us)
- ✓ In addition to other requirements, you, your spouse and dependents must return to Alaska for at least 72 consecutive hours every 2 years to continue to be eligible for the dividend. Exception: If a child is born to or adopted by an eligible resident within the two calendar years immediately preceding the dividend year, that child is eligible for a dividend even though the child has not been physically present in Alaska during the two years.
- ✓ If you have been stationed outside for over 5 years, you will need to provide proof that you have spent at least 30 cumulative days in Alaska during the past 5 years to and be required to complete a detailed questionnaire.

#### **Words to the wise**

- ✓ Do not register to vote in another state or country.
- ✓ If you are required to file a tax return, file as a non-resident. Some states require you to file as a resident or part-time resident. PFD will know which states have this requirement.
- ✓ Do not execute a will, which describes residency in another state or country.
- ✓ Keep a copy of the form (Form DD 2058) you filled out requesting Alaska as your state of legal residence on your LES.
- ✓ Do not claim residency in the state or country of your duty station outside of Alaska.
- ✓ If you can not be readily contacted, for example you are on an extended tour of duty overseas, file a Power of Attorney to facilitate processing your PFD application.

E-mail [dividend\\_information@revenue.state.ak.us](mailto:dividend_information@revenue.state.ak.us)

## Your Absence from Alaska and the PFD Program

Are you going to be absent from Alaska this year? If you are, you need to be aware of the rules of the Permanent Fund Dividend (PFD) program for absences and how they affect your eligibility.

This document is intended to cover the most common circumstances related to absences as they pertain to the PFD program. This document refers to eligibility only in the context of an absence from Alaska – other requirements of the PFD program must be met to be otherwise eligible. Refer to PFD statutes and regulations for more detailed information or contact your nearest Dividend Information Office to get more specific information about your absence.

Anchorage Dividend Information Office  
616 E Street  
Anchorage, AK 99501  
(907) 269-0370

Fairbanks Dividend Information Office  
1005 Cushman Street  
Fairbanks, AK 99701  
(907) 451-2820

Juneau Dividend Information Office  
PO Box 110461  
Juneau, AK 99811-0461  
(907) 465-2326

TTY (Hearing Impaired) (907) 279-0098

Toll-free Number (800) 733-8813 (Available year-round in Alaska and from October 1 through March 31 from out of state).

### General Rule

You may be absent from Alaska in a calendar year for up to 180 days for any reason and still be eligible for a dividend, as long as you meet all other requirements of the program.

For certain absences, you may still be eligible for a dividend even though you are absent from Alaska for more 180 days. These absences are referred to as "allowable absences" and are described under the Allowable Absences section below.

### Absences and Residency

While you are absent, whether one day or the whole year, you must maintain your Alaska residency and intend to return to Alaska and remain a resident. If you do anything to establish residency in another state or country while you are out of Alaska, such as registering to vote or filing a resident income tax return, you will not be eligible for a dividend.

*Example. You move from Alaska in May to take a new job Washington and purchase a home there. After two weeks, you decide to come back to Alaska to live again. Even though you were gone less than 180 days, you will not qualify for the next dividend because you broke your Alaska residency and were not an Alaska resident for the entire calendar year.*

### Reporting Absences

You must report all absences if you were absent from Alaska for more than 90 total days during the calendar year, or were absent when you file your application. For purposes of the dividend program, absences are counted in cumulative days, not consecutive days, for a calendar year. The division counts the day you leave as a day in Alaska; the day you return is counted as an absence day.

*Example. You left Alaska on March 1 and return May 20, and again from October 1 through the 16<sup>th</sup>. The total number of absence days in this example is 95 days (80 for the March 1 through May 20 absence and 15 days for the October absence). All absences must be reported on your dividend application because your total absence days exceed 90 days. Since the total number of days is less than 180 days, you may still be eligible for a dividend.*

### **Allowable Absences**

Permanent Fund Dividend laws allow persons to be absent from Alaska for more than 180 days if they are absent for one or more of the following reasons:

- 1) Receiving secondary or postsecondary education on a full-time basis
- 2) Receiving vocational, professional, or other specific education not reasonably available in Alaska
- 3) Serving on active duty as a member of the U.S. armed forces or accompanying the eligible military member if you are a spouse, minor dependent or disabled dependent
- 4) Serving aboard an oceangoing vessel of the U.S. merchant marine
- 5) Receiving continuous medical treatment under a licensed physician's care if the treatment is not based on a need for climatic change
- 6) Providing care for your parent, spouse, sibling, child, or stepchild with a critical life-threatening illness that requires travel outside for treatment at a medical specialty complex
- 7) Providing care for your terminally ill parent, spouse, sibling, child or stepchild
- 8) Settling the estate of your deceased parent, spouse, sibling, child or stepchild provided the absence does not exceed 220 cumulative days
- 9) Serving as a member of the U.S. Congress
- 10) Serving on the staff of a member of the U.S. Congress
- 11) Serving as an employee of the state
- 12) Accompanying a minor who is absent under reason (5) above
- 13) Accompanying another eligible resident who is absent for reasons (1), (2), (5)-(12) as the spouse, minor dependent, or disabled dependent of the eligible resident

*Example. You are absent from Alaska for the entire calendar year while serving on active duty in the army in Fort Lewis, Washington. While out of state, you claimed Alaska on your Leave and Earnings Statement (LES) as your state of residency for the entire calendar year. You will be eligible for a dividend because you are on an allowable absence. However, note the 72-hour rule below.*

*Example. In January, you and your child moved to Eugene, Oregon to be with your wife who is a full-time student at the University of Oregon. Your wife was a full-time student for the whole year except summer school. You, your wife and child will all be eligible for a dividend because you are on allowable absences. Your wife is on the full-time student absence under (1) and you and your child are on allowable absence (13) accompanying an eligible resident. However, note the 72-hour rule below.*

### **72-Hour Rule**

All persons on allowable absences must be physically present in Alaska for at least 72 consecutive hours during the prior two years before the current dividend year.

*Example. You are an Alaska resident who has been stationed in Fort Benning, Georgia on active duty military service since July 1, 2000 and are applying for a 2003 dividend. You returned to Alaska from June 6 through June 11, 2001. You will be eligible for a 2003 dividend because you were in Alaska for more than 72 consecutive hours during the two prior years (2001 and 2002).*

The commissioner of the Department of Revenue may waive this rule for military members (and spouses, minor dependents and disabled dependents of the military members) during times of national emergency. If applicable, contact the Permanent Fund Dividend Division to see if there is a waiver in effect for the dividend period you are applying for.

### **5-Year Rule**

If you have been on an allowable absence for more than 5 years, the department will take a closer look at your application and look for indicators of your intent to return to Alaska. To maintain your eligibility under the dividend division will look at factors that indicate your intent to return to Alaska. You will need to spend at least 30 cumulative days in Alaska during the past 5 years, unless you can demonstrate that unavoidable circumstances prevented you from returning to Alaska. The department will look at such things as the length of the absence compared to the time spent in Alaska, home ownership in Alaska, and Alaska voter registration and vehicle license.

### **10-Year Rule**

Beginning with the 2008 dividend, you will not be eligible for a dividend if you have been on allowable absences for the 10 preceding years and continue to be on an allowable absence greater than 180 days in the qualifying year. This rule does not apply if you are a member of the U.S. Congress or serving on the staff of an Alaska member of the U.S. Congress.

### **Absences in addition to Allowable Absences**

If you were absent for more than 180 total days in a calendar year including one or more allowable absences during the year, you have a limited number of days that you may be absent for other reasons in order to still qualify for the dividend. There are different rules for the number of additional days depending on your circumstances as outlined below.

### ***Military Members and Family***

If you are on active duty, you and your family (spouse, minor dependent and disabled dependent) have 180 additional days if you are only claiming your active duty service time as an allowable absence. If you claim other allowable absences ([LINK TO AS 43.23.008 HERE](#)), your additional days will be limited as follows:

- If you claim an absence as a full-time student in addition to your active duty service time, you are limited to 120 additional days.
- If you claim any other allowable absence in addition to your active duty service time, you are limited to 45 additional days.

*Example: You are a military member and get discharged from active service on July 1. While you were serving in the military, your wife and minor child accompanied you. You and your family decided to spend time on the East Coast after your discharge and return to Alaska September 1 (62 days). In October, you take a vacation in California from October 2 to November 15 (44 days). You and your family will still be eligible for a dividend because you were not absent from Alaska for more than 180 days in addition to your allowable military absence.*

*Example: You are a student at the University of Washington and graduate May 14. You stay in Seattle after school until June 1 and then take an extended vacation in Mexico until September*

*30 (139 days). You return to Alaska October 1. On October 15, you enlist for active duty military and are stationed outside of Alaska. Even though you are claiming a military absence and had less than 180 additional absence days, you will not be eligible for a dividend because you also claimed an allowable absence as a student. To be eligible for a dividend you would have need to be absent less than 121 additional days.*

*Example. You served as active duty military from January 1 to July 1 when you were discharged. You decide to take a vacation and spend time with family in Oregon after your discharge and come back to Alaska on September 1 (92 days). Later in the year, you leave Alaska to care for your terminally ill father in Oregon from November 20 through December 10 (21 days). Your total additional absence days were 102 days. Even though you are claiming a military absence and had less than 180 additional absence days, you will not be eligible for a dividend because you also claimed an allowable absence for the time you were caring for your father. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.*

### **Students**

If you are a full-time student in good standing, you and your family (spouse, minor dependent and disabled dependent) have 120 additional days if you are only claiming your student absence as an allowable absence. If you claim other allowable absences, your additional days will be limited to 45 days.

*Example: You are a student in Seattle meeting the requirements of the education allowable absence and attend school from January 5 through May 15. You then take a summer job in Seattle for the summer and are out of school from May 16 through August 20 (96 days). For the remainder of the year, you are in school in Seattle from August 21 through December 15. You then return to Alaska to be with family for Christmas break from December 16 through January 4 the next year. You will still be eligible for a dividend since you were on an education allowable absence during the year and the additional days you were absent was less than 121 days.*

*Example. You are a student at the University of Washington and graduate May 14. From May 15 to July 31 (78 days), you took a vacationed and visited family in California. Later in the year, you leave Alaska to care for your terminally ill father in Oregon from November 20 through December 10 (20 days). Your total additional absence days were 98 days. Even though you are claiming a student absence and had less than 120 additional absence days, you will not be eligible for a dividend because you also claimed another allowable absence for the time you were caring for your father. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.*

### **Others**

If you are not a military member or student, and you are on an allowable absence for more than 180 days, you are limited to 45 additional days.

*Example: You are out of state from January 5 to April 8 receiving continuous medical treatment under a licensed physician's care (an allowable absence). Later that year you are absent from*

*August 10 through September 29 for vacation (50 days). You are absent from October 20 through December 31 again receiving continuous medical treatment under a licensed physician's care. Even though you were on an allowable absence during the year, you will not be eligible for a dividend because you had more than 45 additional days of absences during the time you were on vacation in August and September. To be eligible for a dividend, you would have needed to be absent less than 46 additional days.*

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 ALL THE BENEFITS OF SERVICE

### THE INSIDER

Topic Index

## Hostile Fire/Imminent Danger Pay ■ ■ ■

Active duty and Reserve/Guard members can qualify for \$225 for any month in which they are exposed to hostile fire or imminent danger. (Last Updated June 2003)

- ACTIVE DUTY
- RESERVE
- NATIONAL GUARD
- VETERANS
- RETIREES

A member of a uniformed service may be paid special pay at the rate of **\$225** for any month in which he was entitled to basic pay and in which he:

- Was subject to hostile fire or explosion of hostile mines;
- Was on duty in an area in which he was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period he was on duty in that area, other members of the uniformed services were subject to hostile fire or explosion of hostile mines;
- Was killed, injured, or wounded by hostile fire, explosion of a hostile mine, or any other hostile action; or
- Was on duty in a foreign area in which he was subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions.

Reserve members are also eligible for Hostile Fire and Imminent Danger Pay.

#### RELATED TOPICS


- [Aviation Career Incentive Pay \(Officers\)](#)
- [Career Enlisted Flyer Incentive Pay](#)
- [Career Sea Pay \(Enlisted\)](#)
- [Combat Zone Tax Exclusion](#)
- [Diving Duty Pay](#)

#### Special Pay Index

#### BENEFITS UPDATES

- [Resource: Hazardous Duty Incen...](#)
- [Degree Completion Program for ...](#)
- [Army Announces Retention Progr...](#)

#### Attention Active Duty, Guard and Reserves

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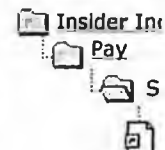


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## DEPARTMENT OF THE NAVY

USS BENFOLD (DDG 65)  
FPO AP 96081-1223

IN REPLY REFER TO:

1000  
Ser DDG 65/039  
13 Jun 03

Alaska Department of Revenue  
Permanent Fund Dividend Division  
PO Box 110460  
Juneau, AK 99811-0460  
ATTN: Paul Dick

Subj: STATEMENT OF SERVICE ICO YN3 JOHN GRAMLICK, USN, 353-70-7316,  
USS HIGGINS (DDG 76)

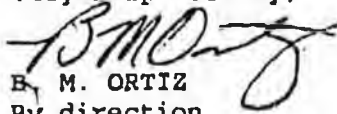
Dear Mr. Dick,

Petty Officer John Gramlick has been assigned to a seagoing and deployable United States Navy warship since 11 October 2000. He is currently assigned to USS BENFOLD (DDG 65), stationed at San Diego, California. YN3 Gramlick has just returned from a deployment in the Arabian Gulf in support of Operation Iraqi Freedom.

Presently, YN3 Gramlick's presence is required aboard BENFOLD. He is unable to leave the geographic area of BENFOLD's homeport of San Diego due to operational commitments. As a result of world events, his presence will be required in San Diego for an undetermined amount of time. I respectfully request that YN3 Gramlick be found eligible to receive the Alaska Permanent Fund Dividend despite his inability to travel to the State of Alaska. His inability to meet this requirement is due solely to his military service. I would be disappointed if his military service was a bar to his receiving this entitlement as a resident of the State of Alaska.

Thank you in advance for your assistance and support. Please contact my Command Legal Officer, LT Barbara Ortiz, directly if I may be of any assistance to you. She can be reached via phone at 619-556-3866 or via email at ortizb@benfold.navy.mil.

Very respectfully,

  
B. M. ORTIZ  
By direction

Christopher Rauchenstein is a Lance Corporal in the United States Marine Corps. Last year, like 4,193 other Alaskans he failed to file for his PFD in time and was denied his informal appeal for reconsideration. What makes Chris's problem special is the reason he failed to apply for the PFD.

Chris is currently stationed in Camp Pendleton, California. Born in Talkeetna in 1978, Chris decided to join the marines after graduating High School and was soon sent out of state for training and deployment. In 2003 Chris got leave from his superiors to come home for Christmas and visit his family. In the first week of January the Marines called Chris back to prepare for immediate deployment. This meant that he had to leave Alaska before his PFD packet had reached him.

His parents tried to mail it on to him in California but unfortunately mail sent to a marine from outside the base has to pass through many hands before it reaches its destination and Chris never received the application before he shipped out. He probably could have called the Permanent Fund office and requested another one but at the time he had other things on his mind.

Chris is a member of the First Marine Division. For those of you who followed the war in Iraq that name probably sounds familiar. The First Marine Division was one of the first American divisions to be deployed in Iraq and continued to lead the advance for practically the entire war. On the day of the deadline for turning in the PFD application Chris was on the outskirts of Baghdad preparing to liberate the city. Needless to say, filling out paperwork was the last thing on his mind.

Even if he had been inclined to take time out from his division's relentless advance and frequent skirmishes, Chris had no way to get the PFD

application out of Iraq. During the war mail service was unreliable at best and phone or Internet access was completely unavailable.

In the 25 years that Chris has lived in Alaska, this is the first dividend he has ever failed to file for. I think that says something about the seriousness of his situation in the month before he shipped out.

Currently Chris is making his way through the appeals process. His informal appeal request was denied this January, almost six months after it had been filed and now it's up for a formal appeal.

Unfortunately time ran out for Chris. On February 25<sup>th</sup> he was redeployed back to Iraq to finish what his Division started in 2003. Last year's dividend would have helped Chris take care of his obligations here at home while he is overseas protecting Iraq's fledgling. A soldier's duty to their country is difficult enough without penalizing them for circumstances outside their control.

HB 536 would give Chris and other Alaskans serving in the armed forces the extra time they need and deserve to fill out their PFD applications when they are subject to extenuating circumstances such as the recent war in Iraq. For those Alaskans who give the most of themselves for their country, it's the least we can do.

HB

551

# SENATE COMMITTEE REPORT

DATE: 5/2/04

FURTHER: Health, Education and Social Services

DATE TURNED IN TO OFFICE: 5/7/04

State Affairs Committee considered CS FOR HOUSE BILL NO. 551(JUD) am

## HB 551 DRUG FELONY DISQUALIFIES TEACHER

"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of certain felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."

and recommends:

- be replaced with Sen. CS HB 551 (STA)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- Same Title
- New Title

**House Bill:**

- Same Title
- Technical Title Change
- New Title w/ SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
H. Rules	4/29/04			✓	2

APPROPRIATION - no fiscal note

**SIGNATURES AND RECOMMENDATIONS:**

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Carideo</i>			✓	
<i>Robert M. ...</i>			✓	
CHAIR: <i>[Signature]</i>				

23-LS1889I  
Craver  
5/6/04

SENATE CS FOR CS FOR HOUSE BILL NO. 551( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): HOUSE JUDICIARY COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the issuance of teacher certificates to and revocation of teacher  
2 certificates of persons convicted of certain felony drug offenses and to the issuance of  
3 limited teacher certificates to persons convicted of certain crimes involving a minor and  
4 felony drug offenses."

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

6 \* Section 1. AS 14.20.020(f) is amended to read:

7 (f) The department may not issue a teacher certificate to a person who

8 (1) has been convicted of a crime, or an attempt, solicitation, or  
9 conspiracy to commit a crime, involving a minor under AS 11.41.410 - 11.41.460 or a  
10 law or ordinance in another jurisdiction with elements similar to an offense described  
11 in this paragraph; or

12 (2) within the preceding 10 years, has been convicted of  
13 misconduct involving a controlled substance under AS 11.71.010, 11.71.020(a)(1),  
14 11.71.030(a)(2), or 11.71.030(a)(3), or a law or ordinance in another jurisdiction

1 with elements similar to an offense described in this paragraph [SUBSECTION].

2 \* Sec. 2. AS 14.20.025 is amended to read:

3 **Sec. 14.20.025. Limited teacher certificates.** Notwithstanding  
4 AS 14.20.020(b), a person may be issued a limited certificate, valid only in the area of  
5 expertise for which it is issued, to teach Alaska Native language or culture, military  
6 science, or a vocational or technical course for which the board determines by  
7 regulation that baccalaureate degree training is not sufficiently available. A limited  
8 certificate may be issued under this section only if the school board of the district or  
9 regional educational attendance area in which the person will be teaching has  
10 requested its issuance. A person who applies for a limited certificate shall  
11 demonstrate, as required by regulations adopted by the board, instructional skills and  
12 subject matter expertise sufficient to assure [ENSURE] the public that the person is  
13 competent as a teacher. The board may require a person issued a limited certificate to  
14 undertake academic training as may be required by the board by regulation and make  
15 satisfactory progress in the academic training. To be eligible for a limited teacher  
16 certificate, a person shall have submitted fingerprints to the department to be  
17 used for a criminal history background check and have been found by the  
18 department to be suitable for employment as a teacher under AS 14.20.020(i).

19 \* Sec. 3. AS 14.20.030 is amended by adding a new subsection to read:

20 (c) The commissioner or the Professional Teaching Practices Commission  
21 shall revoke the certificate of a person who, within the preceding 10 years, has been  
22 convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime,  
23 involving misconduct involving a controlled substance under AS 11.71.010,  
24 11.71.020(a)(1), 11.71.030(a)(2), or 11.71.030(a)(3), or a law or ordinance in another  
25 jurisdiction with elements similar to an offense described in this subsection.

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: 2  
 Bill Version: CSHB 551(JUD)  
 (H) Publish Date: 4/29/2004

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: EED  
 Title An Act relating to the issuance of teach BRU Teacher & Learning Support  
certification Component Teacher Certification  
 Sponsor House Judiciary Committee  
 Requester House Rules Committee Component No. 1240

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>						
-------------------------------	--	--	--	--	--	--

**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

Prepared by: Janet S. Seitz, Staff Phone 465-3764  
 Division House Rules Committee Date/Time 4/29/04 10:52 AM  
 Approved by: Representative Norman Rokeberg Date 4/29/2004  
 Agency Chairman, House Rules Committee

# Alaska State Legislature

*Session:*  
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Juneau, AK 99801  
Phone: (907) 465-2995  
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*Interim:*  
716 W 4<sup>th</sup> Avenue, Suite 430  
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**Representative Lesil McGuire**  
Chair, Judiciary Committee

## HB 551

*"An Act relating to the issuance of teacher certificates to and revocation of teacher certificates of persons convicted of felony drug offenses and to the issuance of limited teacher certificates to persons convicted of certain crimes involving a minor and felony drug offenses."*

### SPONSOR STATEMENT

Children are our most valuable asset and should be allowed to grow and learn in a safe environment free from the influences of drugs and crime. Currently a person who has been convicted of a felony drug offense can apply for and receive a teaching certificate in Alaska. Similarly a person who currently has a certificate can be convicted of a felony drug offense and continue to teach Alaska's children. By allowing this to continue we are setting a bad example for our children in regards to drug use and are putting them at considerable risk.

HB 551 addresses this issue by requiring the Department of Education revoke the teaching certificate of a person convicted of felony drug charges and also disallows a person from being granted such a certificate if they have been convicted of these charges.

While this bill was being drafted it was also noticed that people applying for a limited teaching certificate weren't held to the same standards as regular teachers in regards to their criminal history. HB 551 corrects this oversight by requiring people applying for a limited teaching certificate to submit to a criminal background check prior to receiving the certificate.

By making these simple, but effective changes, HB 551 promotes a positive educational environment while keeping Alaska's children safe.

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
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<p><b>DEA Offices &amp; Telephone Nos.</b>                  Anchorage—907-271-5033                  Fairbanks —907-455-1818</p>	 Alaska
-----------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------

<p><b>State Facts</b>                  Population: 626,932                  Law Enforcement Officers: 1,293                  State Prison Population: 4,577                  Probation Population: 4,517                  Violent Crime Rate National Ranking: 10</p>	<p><b>2002 Federal Drug Seizures</b>                  Cocaine: 37.2 kgs.                  Heroin: 0.1 kgs.                  Methamphetamine: 1.9 kgs.                  Marijuana: 0.9 kgs.                  Clandestine Laboratories: 33 (DEA, state, and local)</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Drug Situation:** Due to its close proximity to the Pacific Rim and shared border with Canada, Alaska is both a transshipment point for controlled substances to the continental United States and a consumer state. Historically, drug trends documented in the other states are eventually documented in Alaska. This includes the growing threat of methamphetamine, Ecstasy, GHB and other "Predatory Drugs." Alaska has the highest per capita incident of alcoholism, rape, and suicide in the United States, partially attributable to controlled substance abuse.



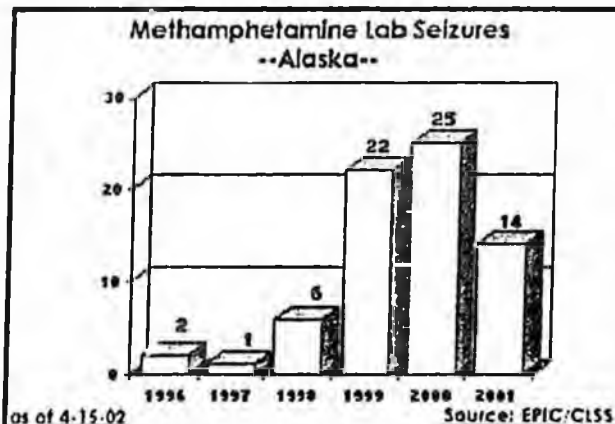
**Cocaine:** There are many different cocaine trafficking organizations in Alaska, although some of the largest ones are predominantly Mexican groups and Dominican groups. Eastern Europeans are also involved. Most cocaine appears to come into Alaska from the West Coast of the U.S. One cocaine smuggling organization in Alaska offered to sell one kilogram of cocaine for as high as \$39,000. Cocaine and other drugs are distributed throughout the State mainly from Anchorage and Fairbanks, all the way to remote fishing villages and northern rural areas.



**Heroin:** Evidence of heroin has declined due to much of the user population now illegally acquiring and using OxyContin. Opium continues to be transshipped through Alaska from the Far East/Pacific Rim countries.



**Methamphetamine:** Small toxic labs continue to be found throughout the state. The pseudoephedrine reduction method is the common manufacturing method used. Availability seems to be increasing, both from local labs and from methamphetamine mailed or shipped into the state by various methods, mostly from the Western U.S.

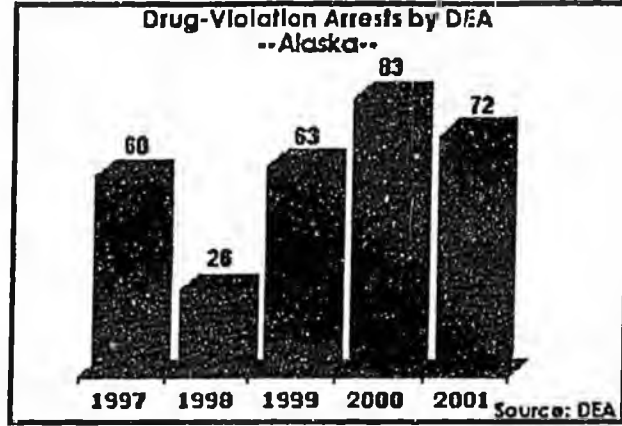


**Club Drugs:** There is recent evidence of large quantities of GBL being transshipped through Alaska from Thailand to various "lower 48" states. MDMA (methylene-dioxy-methamphetamine), also known as Ecstasy, is a growing threat throughout the state. Prior to 1999, there were no reports or direct evidence of large quantities of MDMA in any form. In the recent years, MDMA seizures have increased dramatically. Raves continue to occur in Alaska, with the accompanying use of Predatory Drugs found at these events.



**Marijuana:** Marijuana is the most abused and widespread illegal drug in Alaska. Local law enforcement can only estimate the extent of marijuana abuse because less than 5% of the marijuana in Alaska is grown outdoors. This makes detection much more difficult.

**Other Drugs:** The diversion of various controlled substances regulated by prescription is growing. Alaska is one of the top five purchasing states for five of the top twelve diverted drugs, to include Fentanyl, D-Amphetamine, Oxycodone, Methadone and Meperidine. Benzodiazepine is also widely abused. Internet purchases of controlled substances, from both domestic and international sites, are on the rise.



**DEA Mobile Enforcement Teams:** This cooperative program with state and local law enforcement counterparts was conceived in 1995 in response to the overwhelming problem of drug-related violent crime in towns and cities across the nation. There have been 381 deployments completed resulting in 15,731 arrests of violent drug criminals as of March 2003. There have been no MET deployments to this state.

**DEA Regional Enforcement Teams:** This program was designed to augment existing DEA division resources by targeting drug organizations operating in the United States where there is a lack of sufficient local drug law enforcement. This Program was conceived in 1999 in response to the threat posed by drug trafficking organizations that have established networks of cells to conduct drug trafficking operations in smaller, non-traditional trafficking locations in the United States. Nationwide, there have been 18 deployments completed resulting in 548 arrests of drug trafficking criminals as of March 2003. There have been no RET deployments in this state.

## Chapter 11.71. CONTROLLED SUBSTANCES

### Article 01. OFFENSES RELATING TO CONTROLLED SUBSTANCES

#### Sec. 11.71.010. Misconduct involving a controlled substance in the first degree.

(a) Except as authorized in AS 17.30, a person commits the crime of misconduct involving a controlled substance in the first degree if the person

(1) delivers any amount of a schedule IA controlled substance to a person under 19 years of age who is at least three years younger than the person delivering the substance;

(2) delivers any amount of a schedule IIA or IIIA controlled substance to a person under 19 years of age who is at least three years younger than the person delivering the substance; or

(3) engages in a continuing criminal enterprise.

(b) For purposes of this section, a person is engaged in a "continuing criminal enterprise" if

(1) the person commits a violation of this chapter which is punishable as a felony; and

(2) that violation is a part of a continuing series of five or more violations of this chapter

(A) which the person undertakes in concert with at least five other persons organized, supervised, or otherwise managed by the person; and

(B) from which the person obtains substantial income or resources.

(c) Misconduct involving a controlled substance in the first degree is an unclassified felony and is punishable as provided in AS 12.55.

#### Sec. 11.71.020. Misconduct involving a controlled substance in the second degree.

(a) Except as authorized in AS 17.30, a person commits the crime of misconduct involving a controlled substance in the second degree if the person

(1) manufactures or delivers any amount of a schedule IA controlled substance or possesses any amount of a schedule IA controlled substance with intent to manufacture or deliver;

(2) manufactures any material, compound, mixture, or preparation that contains

(A) methamphetamine, or its salts, isomers, or salts of isomers; or

(B) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomers;

(3) possesses an immediate precursor of methamphetamine, or the salts, isomers, or salts of isomers of the immediate precursor of methamphetamine, with the intent to manufacture any material compound, mixture, or preparation that contains methamphetamine, or its salts, isomers, or salts of isomers; or

(4) possesses a listed chemical with intent to manufacture any material, compound, mixture, or preparation that contains

(A) methamphetamine, or its salts, isomers, or salts of isomers; or

(B) an immediate precursor of methamphetamine, or its salts, isomers, or salts of isomer.

(b) In this section, "listed chemical" means a chemical described under AS 11.71.200.

(c) Misconduct involving a controlled substance in the second degree is a class A felony.

#### Sec. 11.71.030. Misconduct involving a controlled substance in the third degree.

(a) Except as authorized in AS 17.30, a person commits the crime of misconduct involving a controlled substance in the third degree if the person

(1) under circumstances not proscribed under AS 11.71.020 (a)(2) - (4), manufactures or delivers any amount of a schedule IIA or IIIA controlled substance or possesses any amount of a schedule IIA or IIIA controlled substance with intent to manufacture or deliver;

(2) delivers any amount of a schedule IVA, VA, or VIA controlled substance to a person under 19 years of age who is at least three years younger than the person delivering the substance; or

(3) possesses any amount of a schedule IA or IIA controlled substance

(A) with reckless disregard that the possession occurs

- (i) on or within 500 feet of school grounds; or
- (ii) at or within 500 feet of a recreation or youth center; or
- (B) on a school bus.

(b) It is an affirmative defense to a prosecution under (a)(3)(A) of this section that the prohibited conduct took place entirely within a private residence located within 500 feet of the school grounds or recreation or youth center, and that the prohibited conduct did not involve distributing, dispensing, or possessing with the intent to distribute or dispense a controlled substance for profit. Nothing in this subsection precludes a prosecution under any other provision of this section or any other section of this chapter.

(c) Misconduct involving a controlled substance in the third degree is a class B felony.

Sec. 11.71.040. Misconduct involving a controlled substance in the fourth degree.

(a) Except as authorized in AS 17.30, a person commits the crime of misconduct involving a controlled substance in the fourth degree if the person

(1) manufactures or delivers any amount of a schedule IVA or VA controlled substance or possesses any amount of a schedule IVA or VA controlled substance with intent to manufacture or deliver;

(2) manufactures or delivers, or possesses with the intent to manufacture or deliver, one or more preparations, compounds, mixtures, or substances of an aggregate weight of one ounce or more containing a schedule VIA controlled substance;

(3) possesses

(A) any amount of a schedule IA or IIA controlled substance;

(B) 25 or more tablets, ampules, or syrettes containing a schedule IIIA or IVA controlled substance;

(C) one or more preparations, compounds, mixtures, or substances of an aggregate weight of three grams or more containing a schedule IIIA or IVA controlled substance;

(D) 50 or more tablets, ampules, or syrettes containing a schedule VA controlled substance;

(E) one or more preparations, compounds, mixtures, or substances of an aggregate weight of six grams or more containing a schedule VA controlled substance;

(F) one or more preparations, compounds, mixtures, or substances of an aggregate weight of one pound or more containing a schedule VIA controlled substance; or

(G) 25 or more plants of the genus cannabis;

(4) possesses a schedule IIIA, IVA, VA, or VIA controlled substance

(A) with reckless disregard that the possession occurs

(i) on or within 500 feet of school grounds; or

(ii) at or within 500 feet of a recreation or youth center; or

(B) on a school bus;

(5) knowingly keeps or maintains any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place that is used for keeping or distributing controlled substances in violation of a felony offense under this chapter or AS 17.30;

(6) makes, delivers, or possesses a punch, die, plate, stone, or other thing which prints, imprints, or reproduces a trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of these upon a drug, drug container, or labeling so as to render the drug a counterfeit substance;

(7) knowingly uses in the course of the manufacture or distribution of a controlled substance a registration number that is fictitious, revoked, suspended, or issued to another person;

(8) knowingly furnishes false or fraudulent information in or omits material information from any application, report, record, or other document required to be kept or filed under AS 17.30;

(9) obtains possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge; or

(10) affixes a false or forged label to a package or other container containing any controlled substance.

(b) It is an affirmative defense to a prosecution under (a)(4)(A) of this section that the prohibited conduct took place entirely within a private residence located within 500 feet of the school grounds or recreation or youth center. Nothing in this subsection precludes a prosecution under any other provision of this section or any other section of this chapter.

(c) Nothing in (a)(5) or (6) of this section precludes a prosecution or civil proceeding brought under any other provision of this section or any other section of this chapter or under AS 17.

(d) Misconduct involving a controlled substance in the fourth degree is a class C felony.

## Teacher Certification

State of Alaska > Department of Education & Early Development > Teacher Certification > Professional Teaching Practices Commission

### Chapter 010 - Professional Teaching Practices Commission

#### Professional Teaching Practices Commission Teacher Certification Homepage

##### Section

- 10. Coverage
- 20. Code of ethics and teaching standards
- 310. Distribution of handbook

#### **20 AAC 10.010. COVERAGE.**

All members of the teaching profession (as defined in AS 14.20.370) are obligated to abide by the code of ethics and the professional teaching standards adopted by the Professional Teaching Practices Commission.  
(Repealed 01/30/75)

Authority: AS 14.20.480

**20 AAC 10.020. CODE OF ETHICS AND TEACHING STANDARDS. (a) The following code of ethical and professional standards governs all members of the teaching profession. A violation of this section is grounds for discipline provided in AS 14.20.030.**

#### **(b) In fulfilling obligations to students, an educator:**

- (1) repealed 10/25/2000;
- (2) may not deliberately distort, suppress, or deny access to curricular materials or educational information in order to promote the personal view, interest, or goal of the educator;
- (3) shall make reasonable effort to protect students from conditions harmful to learning or to health and safety;
- (4) may not engage in physical abuse of a student or sexual conduct with a student and shall report to the commission knowledge of such an act by an educator;
- (5) may not expose a student to unnecessary embarrassment or disparagement;
- (6) may not harass, discriminate against, or grant a discriminatory advantage to a student on the grounds of race, color, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation; shall make reasonable effort to assure that a student is protected from harassment or discrimination on these grounds; and may not engage in a course of conduct that would encourage a reasonable student to develop a prejudice on these grounds;
- (7) may not use professional relationships with students for private advantage or gain;
- (8) shall keep in confidence information that has been obtained in the course of providing professional service, unless disclosure serves a compelling professional purpose or is required by law;
- (9) shall accord just and equitable treatment to all students as they exercise their educational rights and responsibilities.

#### **(c) In fulfilling obligations to the public, an educator:**

- (1) repealed 10/25/2000;
- (2) shall take reasonable precautions to distinguish between the educator's personal views and those of any educational institution or organization with which the educator is affiliated;
- (3) shall cooperate in the statewide student assessment system established under 4AAC 06.710-4 ACC 06.790 by safeguarding and maintaining the confidentiality of test materials and information;
- (4) repealed 10/25/2000;
- (5) may not use institutional privileges for private gain, to promote political candidates, or for partisan political activities;
- (6) may not accept a gratuity, gift, or favor that might influence or appear to influence professional judgment, and may not accept a gratuity, gift, or favor to obtain special advantage;

## Teacher Certification

- (7) may not knowingly withhold or misrepresent material information in communicating with the school board regarding before the board for its decision; and  
 (8) may not use or allow the use of district resources for private purposes not related to the district programs and operat

**(d) In fulfilling obligations to the profession, an educator:**

- (1) may not, on the basis of race, color, creed, sex, age, national origin, marital status, political or religious beliefs, physical condition, family, social or cultural background, or sexual orientation, deny to a colleague a professional benefit, advancement or participation in any professional organization, and may not discriminate in employment practice, assignment, or person evaluation;  
 (2) shall accord just and equitable treatment of all members of the profession in the exercise of their professional rights and responsibilities;  
 (3) may not use coercive means or promise special treatment in order to influence professional decisions of colleagues;  
 (4) may not sexually harass a fellow employee;  
 (5) shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure is for a compelling professional purpose;  
 (6) shall provide, upon the request of the affected party, a written statement of specific reasons for recommendations that result in the denial of increments, significant changes in employment, or termination of employment;  
 (7) may not deliberately misrepresent the educator's or another's professional qualifications;  
 (8) repealed 10/25/2000;  
 (9) may not falsify a document, or make a misrepresentation on a matter related to licensure, employment evaluation, test results, or professional duties;  
 (10) may not intentionally make a false or malicious statement about a colleague's professional performance or conduct;  
 (11) may not intentionally file a false or malicious complaint with the commission;  
 (12) may not seek reprisal against any individual who has filed a complaint, provided testimony or given other assistance in support of a complaint filed with the commission;  
 (13) shall cooperate fully and honestly in investigations and hearings of the commission;  
 (14) repealed 10/25/2000;  
 (15) may not unlawfully breach a professional employment contract;  
 (16) shall conduct professional business through appropriate channels;  
 (17) may not assign tasks to unqualified personnel;  
 (18) may not continue in or seek professional employment while unfit due to (A) use of drugs or alcohol that impairs the educator's competence or the safety of students or colleagues; (B) physical or mental disability that impairs the educator's competence or the safety of students or colleagues;  
 (19) may not interfere with a colleague's exercise of political or citizenship rights and responsibilities

(Eff. 1/30/75, Register 53; am 8/10/80, Register 75; am 6/16/84, Register 90; am 8/5/90, Register 115; am 7/21/91, Register 119; am 7/28/94, Register 131; am 4/8/99, Register 150; am 10/25/2000, Register 156)

## Authority:

- AS 14.20.030 (a)**  
**AS 14.20.370**  
**AS 14.20.450**  
**AS 14.20.460**  
**AS 14.20.480**

*10.035*  
**20 AAC 10.030. MORAL TURPITUDE.** For the purpose of **AS 14.20.030(a)(2)**,

- (1) "moral turpitude" means conduct that is wrong in itself even if no statute were to prohibit the conduct; and  
 (2) a crime involving moral turpitude includes:  
 (A) homicide;  
 (B) manslaughter;  
 (C) assault;  
 (D) stalking;  
 (E) kidnapping;  
 (F) sexual assault;  
 (G) sexual abuse of minor;

## Teacher Certification

- (H) unlawful exploitation of a minor;
- (I) robbery;
- (J) extortion;
- (K) coercion;
- (L) theft;
- (M) burglary;
- (N) arson;
- (O) criminal mischief;
- ~~(P) forgery;~~
- (Q) criminal mischief;
- (R) forgery;
- (S) criminal impersonation;
- (T) bribery;
- (U) perjury;
- (V) unsworn falsification;
- (W) jury tampering;
- (X) terroristic threatening;
- (Y) possession or distribution of child pornography;
- (Z) unlawful distribution or possession for distribution or possession for distribution of a controlled substance;
- (AA) unlawfully furnishing alcohol to a minor. (Eff 4/8/99, Register 150)

## Authority:

AS 14.20.030  
 AS 14.20.450  
 AS 14.20.460

**20 AAC 10.900. DEFINITIONS:** In this chapter,

- (1) "sexual conduct" includes solicitations for sex; explicit sexual jokes and stories; discussion of the educator's sexual feelings or activities; discussion, outside of a professional teaching or counseling context, of a student's sexual feelings or activities; "sexual penetration" and "sexual contact" as those terms are defined in **AS 11.81.900(j)**.
- (2) "physical abuse" is an action beyond reasonable discipline that results in an adverse physical effect upon a student.

PTPC Regs (Eff. 10/25/00)

Revised May 2002



**Anchorage  
School  
District**

4600 DeBarr Road  
P.O. Box 196614  
Anchorage, Alaska 99519-6614  
(907) 742-4000

**SCHOOL BOARD**

Jack Metcalfe  
President

Tim Steele  
Vice President

Mary Marks  
Clerk

Macon Roberts  
Treasurer

Jeff Friedman

Crystal Kennedy

John Stelner

**SUPERINTENDENT**

Carol Comeau

May 3, 2004

Dear Senator Gary Stevens:

Attached please find a copy of the following:

1. Anchorage School District letter in opposition to HB 551
2. Professional Teaching Practices Commission letter in opposition to HB 551
3. 20 AAC 10.020 Code of Ethics and Teaching Standards.

The Anchorage School Districts believes and the Professional Teaching Practices Commission concurs that the appropriate place to deal with the concerns of the Legislature in this area are best handled through the Commission itself.

The Commission has asked its executive director to draft a regulation that would expressly include felony level crimes involving possession of a controlled substance to the list of crimes of moral turpitude (20 AAC 10.030). This regulation provides guidance to school districts when making employment decisions regarding immoral conduct. The Commission believes this will address the concern that prompted the proposed amendment to HB 551.

In essence, this legislation is not needed.

Sincerely,

Larry Wiget,  
Executive Director, Public Affairs

For additional information, please contact Eric Tollefsen, Executive Director, Human Resources, 907 - 742-4322.

Post-It® Fax Note	7671	Date	5/3/04	# of pages	6
To	SEN STEVENS	From	LARRY WIGET		
Co./Dept.	LEGISLATIVE COUNCIL	Co.	ASD		
Phone #	465-4825	Phone #	742-4322		
Fax #	465-3517	Fax #	742-4411		

Dear Legislator:

I am writing at the request of the Professional Teaching Practices Commission to express its opposition to the proposed amendment to HB 551, which would revoke for life the certificate of an educator convicted of felony misconduct involving a controlled substance. As you know, the Commission is charged with the discipline of certificated educators in the State of Alaska.

Currently, revocation of a teaching certificate for life is reserved for those convicted of crimes of sexual abuse of a minor. See AS 14.20.030(b).

The Commission agrees that teachers convicted of felony level misconduct involving a controlled substance could pose a severe threat to the health and safety of students. However, the Commission believes there may be extenuating circumstances that would warrant a discretionary review of facts presented so as to determine whether a blanket revocation for life would be an appropriate sanction for these offenses. For example, under some circumstances it could be deemed appropriate to consider the length of time that has elapsed since a conviction, as well as any documented history of the successful intervention of drug abuse treatment and rehabilitation.

Moreover, it would appear inconsistent to revoke for life the teaching certificate of someone convicted of felony level possession of a controlled substance, but not also include a lifetime bar for an individual convicted of other very serious crimes. For example, there are numerous unclassified felonies listed in the criminal code for crimes such as first and second-degree murder, kidnapping and first-degree sexual assault, which are not included within the scope of the proposed amendment. See AS 11.41.100; AS 11.41.110; AS 11.41.300; AS 11.41.410. It would appear difficult to harmonize such a legislative statement.

The Commission has a history of investigating, adjudicating and disciplining educators who abuse drugs. The Commission has a broad range of experience with these violations and questions the need for the proposed amendment, which seems to be a response to one recent event.

The Commission has asked its executive director to draft a regulation that would expressly include felony level crimes involving possession of a controlled substance to the list of crimes of moral turpitude (20 AAC 10.030). This regulation provides guidance to school districts when making employment decisions regarding immoral conduct. The Commission believes this will address the concern that prompted the proposed amendment to HB 551.

If you have any questions, please contact me or any of the Commissioners whose names are listed below.

April 2004



W) 907-742-4322 (F) 907-742-4175

TO: HOUSE JUDICIARY COMMITTEE  
FROM: LARRY WIGET, EXECUTIVE DIRECTOR, PUBLIC AFFAIRS  
SUBJECT: HB 551: DISQUALIFYING TEACHERS FOR FELONY DRUG  
CONVICTIONS

Currently the law prohibits the Department of Education from issuing a teaching certificate to a person who has been convicted of a crime, or an attempt, solicitation, or conspiracy to commit a crime, involving a minor

The proposed revisions in HB 551 would prohibit the Department of Education from issuing a certificate to anyone who has ever been convicted of a felony drug charge. It would also revoke for life the certificate of anyone convicted of a felony drug charge. This seems to presuppose that no one can ever be rehabilitated if they had a drug problem. There are certainly cases where it would be appropriate to revoke for life the certificates of individuals convicted of felonies and not just drug felonies but there may exist situations where circumstances wouldn't warrant banning someone from teaching for life.

PTPC does an excellent job of looking at individual situations and in making a determination whether or not an individual should be issued a certificate or have a certificate revoked. This proposed language would not allow PTPC any flexibility to look at cases individually and make a determination.

The proposed revisions in this bill are a hasty reaction to a specific situation and they may well have unintended consequences.

The law currently prohibits individuals who have committed a crime involving a minor from having a certificate. The proposed revisions to HB 551 would not require that the crime had any connection to a minor or even that there was a nexus to the classroom or teaching. Drug convictions have been singled out from other felonies and put in a class by themselves without any ability to look at the totality of individual situations.

We would suggest that the far reaching effects and the inflexibility this Bill imposes be considered before any action is taken on it.

Contact: Eric Toffelsen, Executive Director, Human Resources - 742-4322

HCR

5

# SENATE COMMITTEE REPORT

DATE: 5/15/03

FURTHER: Finance

DATE TURNED  
IN TO OFFICE: 3/12/04

State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 5(FIN) am

## HCR 5 LEGIS. TASK FORCE ON DESIGN OF STATE SEAL

Establishing a task force to make recommendations regarding a new design for the official seal of the State of Alaska.

and recommends:

- be replaced with Sen CS HCR 5 (STA)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
<u>Leg.</u>	<u>3/12/04</u>	<input checked="" type="checkbox"/>		

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<u>Bert Stinson</u>			<input checked="" type="checkbox"/>	
<u>Paul [unclear]</u>	<input checked="" type="checkbox"/>			
<b>CHAIR:</b> <u>[Signature]</u>				

23-LS0367\H  
Cook  
3/8/04

SENATE CS FOR CS FOR HOUSE CONCURRENT RESOLUTION NO. 5( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES JOULE, Chenault, Foster, Gara, Gruenberg, Kapsner, Kerttula, Kookesh, Morgan, Seaton, Stevens, Weyhrauch, Whitaker, Anderson

A RESOLUTION

1 Establishing a task force to make recommendations regarding a new design for the  
2 official seal of the State of Alaska.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 WHEREAS the official seal of the state was designed in 1910 by federal and  
5 territorial officials long before Alaska became a state, and it emphasizes primarily the natural  
6 beauty of the state and its abundance of natural resources; and

7 WHEREAS the seal should reflect the place and people who now call it home; and

8 WHEREAS the seal should ideally depict not only the diversity of its natural  
9 resources but also the diversity of its human resources; and

10 WHEREAS the seal should include recognition of the many Native cultures of  
11 Alaska, as recommended recently by the Governor's Commission on Tolerance; and

12 WHEREAS, in order to ensure that the official seal represents modern Alaska and its  
13 diverse peoples, the seal should be redesigned through a process that involves many different  
14 segments of the population, including school children; and

15 WHEREAS the Department of Education and Early Development administers the  
16 public school system and the state's historical library, and the Alaska State Council on the

1 Arts operates within that department; and

2 **WHEREAS** the Alaska Historical Commission in the Department of Natural  
3 Resources includes members who have backgrounds in history, architecture, and archeology  
4 and are very familiar with both the natural and cultural heritage of the state; and

5 **WHEREAS** the Alaska Native Heritage Center is a nonprofit organization that is  
6 headed by a board of directors drawn from Alaska Native corporations and civic and business  
7 groups who are guided by a 30-member academy composed of Native elders and tradition  
8 bearers from diverse Native peoples, including Athabaskan, Yup'ik and Cup'ik Eskimo,  
9 Inupiaq, Aleut, Alutiiq, Eyak, Tlingit, Haida, and Tsimshian;

10 **BE IT RESOLVED** that the Alaska State Legislature establishes in the legislative  
11 branch the Task Force on the State Seal whose mission is to gather input from the citizens of  
12 Alaska about what the official state seal should look like and to make recommendations to the  
13 legislature about a proposed new design for a new official seal for the state; and be it

14 **FURTHER RESOLVED** that the Governor is respectfully requested to appoint to the  
15 task force

16 (1) two representatives of the Department of Education and Early  
17 Development, one of whom shall be an employee of the department who is a certificated  
18 teacher and one of whom shall be a member of the Alaska State Council on the Arts; and

19 (2) two representatives of the Alaska Historical Commission in the  
20 Department of Natural Resources; and be it

21 **FURTHER RESOLVED** that the legislature respectfully requests the Pioneers of  
22 Alaska to appoint one member to the task force; and be it

23 **FURTHER RESOLVED** that the legislature respectfully requests the board of  
24 directors of the Alaska Native Heritage Center to appoint two members to the task force; and  
25 be it

26 **FURTHER RESOLVED** that the task force may begin its work immediately upon  
27 appointment of four of the seven members specified in this resolution, may select a chair from  
28 among its members, may meet between sessions of the legislature, may solicit ideas for the  
29 state seal in a manner considered appropriate by the task force, and shall report its  
30 recommendations as to a proposed new official state seal to the legislature by the first day of  
31 the First Regular Session of the Twenty-Fourth Alaska State Legislature; and be it

1           **FURTHER RESOLVED** that the Legislative Council shall provide reasonably  
2 necessary administrative services to the task force upon request of the task force; and be it

3           **FURTHER RESOLVED** that the members of the task force are entitled to  
4 reimbursement of travel costs associated with attending meetings of the task force; and be it

5           **FURTHER RESOLVED** that the task force established under this resolution is  
6 terminated on the last day of the First Regular Session of the Twenty-Fourth Alaska State  
7 Legislature.

During Session:  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4833  
Fax (907) 465-4586  
1-800-782-4833

Representative\_Reggie\_Joule@legis.state.ak.us



During Interim:  
P.O. Box 673  
Kotzebue, Alaska 99752  
(907) 442-3880  
Fax (907) 442-3022

**Alaska State Legislature**  
**REPRESENTATIVE REGGIE JOULE**

**Sponsor Statement for HCR 5, creating a special task force to  
redesign the state seal**

By Representative Reggie Joule

The official seal of the State of Alaska was designed 94 years ago by federal and territorial officials. It is time to consider whether the seal should reflect the modern state in which we live and recognize the many diverse cultures of Alaska. This resolution would authorize a task force of Alaskans to solicit proposals for changing the seal and report recommendations to the first session of the 24th Alaska Legislature.

The task force proposed by this resolution would be housed in the Alaska Legislature. Two representatives each would be appointed from the Alaska Historical Commission, the Alaska Department of Education and Early Development and the Alaska Native Heritage Center. The Pioneers of Alaska would have one representative on the panel. The task force would serve as a focal point for public involvement in the redesign of the seal, including suggestions from Alaska school children.

A final design for a new seal would be up to the full Legislature.

# Alaska's Official State Seal

the case for modernization



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## Introduction

- HCR 5 Task Force on State Seal
- Focal point for citizen involvement in designing new seal
- Report to Legislature in January 2004
- Any changes to seal require approval of full Legislature

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## Alaska's First Seal

- Designed by Gov. John Kinkead in 1885
- Alaska was military district then
- Seal depicted northern lights, icebergs and Alaska Native

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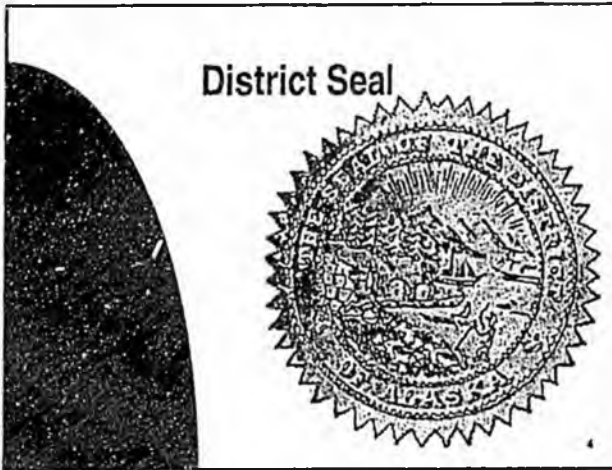
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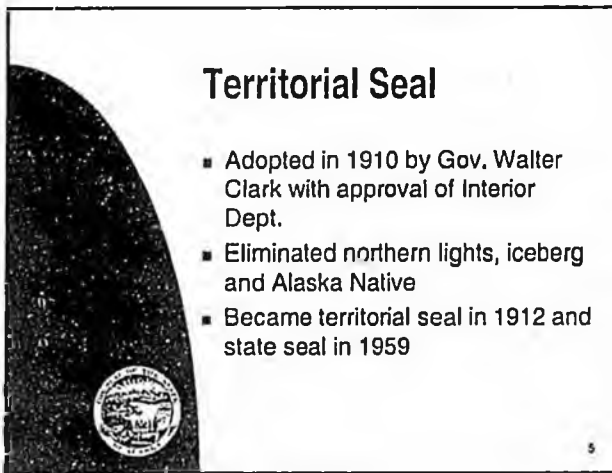
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### Elements of the Seal

- The rising sun of "development and industrial progress" in 1910
- Ore mill, train and wharf
- Steamship and fishing vessel
- Forests
- Harvest scene
- Fur seal and salmon




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### Why change the seal?

- Alaska has changed dramatically since 1910
- New industries, including oil & gas
- Alaska Natives deserve recognition
- Alaskans deserve involvement – a good learning exercise
- The future: what symbols might have currency in 100 years?




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### Alaska Dept. of Fish & Game



1962

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Alaska Dept. of Fish & Game



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Alaska Dept. of Fish & Game



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Dept. of Health & Social Services



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Hawaii State Seal



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Montana State Seal



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Idaho State Seal



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# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: \_\_\_\_\_  
Bill Version: Workdraft 23-LS0367\H  
( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title: "Establishing a task force to make BRU: Legislative Council  
recommendations regarding a new design for the official seal..." Component: Council and Subcommittees  
Sponsor: Representative Joule, Chenault...  
Requester: House Finance Committee Component No. 783

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services	17.0					
Travel	10.8					
Contractual	23.0	0.0	0.0	0.0	0.0	0.0
Supplies	3.0					
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>53.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ( )						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	33.8	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other - SDPR - 1108	20.0					
<b>TOTAL</b>	<b>53.8</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: \_\_\_\_\_  
Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary	1	0	0	0	0	0

**ANALYSIS:** (Attach a separate page if necessary)  
Workdraft 23-LS0367\H establishes a seven member Task Force in the Legislative Branch whose mission is to gather input from the citizens of Alaska about what the official State Seal should look like and to make recommendations to the Legislature about a proposed new design for a new official State Seal for the State. The Task Force on the State Seal will be comprised of two representatives of the Department of Education and Early Development, two representatives of the Alaska Historical Commission in the Department of Natural Resources, one member appointed by the Pioneers of Alaska, and two members appointed by the Board of Directors of the Alaska Native Heritage Center.

Prepared by: Karla Schofield, Deputy Director Phone 465-3852  
Division: Administrative Services Date/Time 3/9/04 8:50 AM  
Approved by: Pamela Varni, Executive Director Date 3/9/2004  
Agency: Legislative Affairs Agency

## FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

BILL NO. Workdraft 23-LS0367NH

### ANALYSIS CONTINUATION

Personal Services - It is anticipated that the Task Force on the State Seal will ask for and receive reasonable administrative services support from the Legislative Council. The services would most likely include coordinating travel arrangements, setting up teleconferences, placing advertisements if the Task Force decides to hold a contest or wishes to hear testimony and ideas from people in the State regarding the State Seal, and other duties to facilitate the work of the Task Force. This fiscal note anticipates the cost of the administrative support to be 3 months of a Range 18 equaling \$16,200.

Travel - It is anticipated that the Task Force will hold two 3 day meetings requiring travel. Both meetings will be held in Anchorage. The travel costs for the 4 representatives from the DCED and DNR-Alaska Historical Commission will be absorbed within Executive Branch travel budgets. This fiscal note contains funding for the appointees from the Pioneers of Alaska and the Alaska Native Heritage Center and the administrative support person. For the purposes of this fiscal note the appointees are assumed to be from Kotzebue, Ketchikan, and Anchorage. The support person is assumed to be from Juneau. This fiscal note also includes funding for two people, either two Task Force members, or one Task Force member and a contest winner, to meet with the Legislature in Juneau to review the recommendations of the Task Force during the First Regular Session of the 24th Legislature.

Two Anchorage Meetings: Airfare \$ 3,800; Per Diem \$ 4,500 = \$ 8,300

Juneau Meeting with Legislature: Airfare \$ 1,300; Per Diem \$ 1,200 = \$ 2,500

All other meetings will be by teleconference. Teleconference costs will be absorbed by the Legislative Affairs Agency.

Contractual - It is anticipated that the Task Force will require a phone budget, most likely for calling cards in the amount of \$150 per month times 10 months = \$1,500.

As it is not known how the Task Force will decide to pursue their objective, \$21,500 is included in this fiscal note which may be used for expenses relating to conducting a contest, including advertising in newspapers all over the State over several weeks, or to mail flyers to interested parties or residents in the State interested in participating in the contest or submitting ideas to the Task Force. These funds might also be used to acquire a simple scriptlet program to allow children to design their own State Seal on the website. These funds could also be used to hire a graphic artist if the Task Force wished to contract with a consultant to create a new State Seal based on input from Alaskans.

The Legislative Affairs Agency will work with the Task Force to create a web site on the Legislature's home page to inform Alaskans about the activities of the Task Force and to provide an avenue for interested persons to comment about new ideas for the State Seal. Interested parties would be able to provide information to the Task Force by submitting ideas through the Legislative Information Offices around the State. These costs will be absorbed by the Legislative Affairs Agency. The Information Offices will also work with the Task Force to provide information to the schools if requested to do so by the Task Force.

Supplies - It is anticipated the Task Force will need to purchase supplies to help organize information submitted to them and may need to purchase computer software for rendering proposed designs into graphic images for presentation to the Legislature - \$3,000.

If requested by the Task Force, costs to print black and white flyers or copies of the proposed new State Seal, will be absorbed by the Legislative Affairs Agency Printshop.

During Session:  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4833  
Fax (907) 465-4586  
1-800-782-4833

Representative\_Reggie\_Joule@legis.state.ak.us



During Interim:  
P.O. Box 673  
Kotzebue, Alaska 99752  
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Fax (907) 442-3022

Alaska State Legislature  
REPRESENTATIVE REGGIE JOULE

Byron Mallott  
President & CEO  
First Alaskans Institute  
606 E. Street, Suite 200  
Anchorage, Alaska 99501

May 28, 2003

Dear Byron,

With the legislative session now completed, I wanted to take this opportunity to express my appreciation for the support of the First Alaskans Institute for House Concurrent Resolution 5, which calls for a redesign of the Official Seal of Alaska. Your support was crucial in helping move HCR 5 through three committees in the House of Representatives this year and on to the Senate, where I hope to win passage next year.

In its course through the House, HCR 5 was altered a bit from its original form. I've enclosed a copy of the latest version for your review. In brief, the resolution establishes a seven-member task force to coordinate the redesign process for the seal. The task force includes two members each from the Department of Education and Early Development, the Alaska Historical Commission and the Alaska Native Heritage Center, and one representative of the Pioneers of Alaska. The House Finance Committee authorized \$53,000 for the work of the task force, of which \$20,000 is to come from private donations.

The resolution is now in the hands of the Senate State Affairs Committee, where Chairman Gary Stevens is a co-sponsor. From there it moves to the Senate Finance Committee and the full Senate.

I look forward to continued progress on this issue. As Carrie Brown wrote in her letter to me on April 9, the seal is badly in need of "a new design that more accurately reflects what modern Alaska is, in all its diversity."

With warm personal regards, I am,

A handwritten signature in cursive script that reads "Reggie Joule".

Rep. Reggie Joule  
House District 40

During Session:  
Alaska State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4833  
Fax (907) 465-4586  
1-800-782-4833  
Representative\_Reggie\_Joule@legis.state.ak.us



During Interim:  
P.O. Box 673  
Kotzebue, Alaska 99752  
(907) 442-3880  
Fax (907) 442-3022

Alaska State Legislature  
REPRESENTATIVE REGGIE JOULE

David G. Wight  
President & CEO  
Alyeska Pipeline Service Co.  
1835 South Bragaw St.  
Anchorage, Alaska 99512

May 28, 2003

Dear Mr. Wight,

With the legislative session now completed, I wanted to take this opportunity to express my appreciation for the support of Alyeska Pipeline Service Co. for House Concurrent Resolution 5, which calls for a redesign of the Official Seal of Alaska. Your support was very helpful in moving HCR 5 through the House of Representatives this year and on to the Senate, where I hope to win passage next year.

In its course through the House, HCR 5 was altered a bit from its original form. I've enclosed a copy of the latest version for your review. In brief, the resolution establishes a seven-member task force to coordinate the redesign process for the seal. The task force includes two members each from the Department of Education and Early Development, the Alaska Historical Commission and the Alaska Native Heritage Center, and one representative of the Pioneers of Alaska. The House Finance Committee authorized \$53,000 for the work of the task force, of which \$20,000 is to come from private donations.

The resolution is now in the hands of the Senate State Affairs Committee, where Chairman Gary Stevens is a co-sponsor. From there it moves to the Senate Finance Committee and the full Senate.

I look forward to continued progress on this issue. As you stated in your letter of May 1, the educational value of designing a new seal for the state should be important to many young Alaskans.

With best wishes, I am,

A handwritten signature in cursive script that reads "Reggie Joule".

Rep. Reggie Joule  
House District 40

HCR

7

## SENATE COMMITTEE REPORT

DATE: 4/15/03

FURTHER:

DATE TURNED  
IN TO OFFICE: 4/30/03

State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 7(RLS)

### HCR 7 UNIFORM RULES: EXECUTIVE SESSIONS

Proposing an amendment to the Uniform Rules of the Alaska State Legislature relating to executive sessions of legislative bodies; and providing for an effective date for the amendment.

and recommends:

be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)

attached amendment(s)

adopt Letter of Intent by \_\_\_\_\_ Committee

further referral to \_\_\_\_\_ Committee

**Senate Bill:**

same title

new title

**House Bill:**

same title

technical title

new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
<i>Leg.</i>	<i>4/8/03</i>		<input checked="" type="checkbox"/>	<i>1</i>

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<i>[Signature]</i>			<input checked="" type="checkbox"/>	
<b>CHAIR:</b> <i>[Signature]</i>	<input checked="" type="checkbox"/>			

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# ALASKA STATE LEGISLATURE

Representative Bruce Weyhrauch

HOUSE DISTRICT 4



ALASKA  
STATE CAPITOL  
JUNEAU, ALASKA  
99801-1182

(907) 465-3744  
FAX (907) 465-2273

HCR 7

## *Amending the Uniform Rules* Adding Executive Sessions for Security

The kinds of security concerns facing our state and nation may potentially affect more than security of a governmental unit. In Alaska, our legislative bodies discuss security concerns related to the pipeline, ferries, cruise ships and oil refineries and terminals among other things. On occasion, these discussions rise to the level of classified information. For example, a legislative body may hear of efforts taken to analyze terrorist threats, securing the borders and airports as well as efforts to protect our critical infrastructure. Thus, this amendment to Rule 22 of the Uniform Rules slightly broadens the legislative ability to call an executive session.

Currently, Rule 22 (of the Alaska State Legislature's Uniform Rules), allows a legislative body to call an executive session at which members of the general public may be excluded for the following reasons:

- 1) discussion of matters, the immediate knowledge of which would adversely affect the finances of a government unit;
- 2) discussion of subjects that tend to prejudice the reputation and character of a person;
- 3) discussion of a matter that may, by law, be required to be confidential.

HCR 7 is introduced to allow a legislative body to call an executive session at which members of the general public may be excluded when:

- 4) discussion of a matter that affects the security of the state or nation, or that affects the security of a governmental unit or agency.

It is important to have this authority when on occasion, the need of a legislative body to hear confidential briefings from state, federal and local officials charged with Homeland Security. This amendment to the Alaska State Legislature Uniform Rules slightly broadens the reasons that a legislative body may be able to convene an executive session.

*Released: February 19, 2003*

Representative [Bruce\\_Weyhrauch@legis.state.ak.us](mailto:Bruce_Weyhrauch@legis.state.ak.us)  
[www.akrepublicans.org/weyhrauch/](http://www.akrepublicans.org/weyhrauch/)

# FISCAL NOTE

STATE OF ALASKA  
2003 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: CSHCR 7(RLS)  
(H) Publish Date: 4/11/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
Title: Proposing an amendment to the BRU Legislative Council  
Uniform Rules of the Alaska State Legislature relating to executive... Component Council and Subcommittees  
Sponsor House State Affairs Session Expenses  
Requester House Rules Committee Component No. 783

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

HCR 7 amends Rule 22(b), Uniform Rules of the Alaska State Legislature to allow a legislative body to call an executive session to discuss a matter that affects the security of the state or nation, or that affects the security of a governmental unit or agency.

This resolution has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 907-465-3850  
Division Administrative Services Date/Time 4/8/03 9:15 AM  
Approved by: Pamela Varni, Executive Director Date 4/8/2003  
Agency Legislative Affairs Agency

HCR

11

## SENATE COMMITTEE REPORT

DATE: 4/7/03

FURTHER:

DATE TURNED  
IN TO OFFICE: 4/25/03

State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 11(FSH) am

### HCR 11 ALASKA SALMON WEEK

Relating to Alaska Wild Salmon Week, June 30 - July 4, 2003.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

**Senate Bill:**

- same title
- new title

**House Bill:**

- same title
- technical title
- new: SCR # \_\_\_\_\_

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Zero	FN#
<i>neg.</i>	<i>3/13/03</i>		<input checked="" type="checkbox"/>	<i>1</i>

- APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
<i>[Signature]</i>	<input checked="" type="checkbox"/>			
CHAIR: <i>[Signature]</i>	<input checked="" type="checkbox"/>			

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# Alaska State Legislature

*Session:*  
State Capitol Building, Room 418  
Juneau, Alaska 99801-1182  
Phone: (907) 465-2993  
Fax: (907) 465-3835  
Toll Free: 1-800-463-2693



*Interim:*  
145 Main Street Loop Road  
Suite 221  
Kenai, AK 99611  
Phone: (907) 283-2690  
Fax: (907) 283-2763

## Representative Kelly Wolf *House District 33*

### Sponsor Statement for HCR 11

### ALASKA SALMON DAY

#### Relating to declaring July 2, 2003 as Alaska Salmon Day

Alaska is the largest commercial wild salmon fishery in the world and employs more than 29,000 people. Nearly 95% of all commercially caught salmon in the United States are harvested in Alaska. In the last decade, state salmon harvests totaled more than \$4.5 billion, making salmon extremely vital to Alaska's economy.

For both visitors and Alaskans, the sport of fishing is one of the most popular activities in the state. Last year, approximately 448,000 resident and non-resident licenses were issued for sport fishing.

Beyond the importance of commercial and sport fishing, salmon has been a nutritional source for generations of Alaskans and is a large part of the state's heritage. Rich in Omega 3 oils, salmon is a healthy food that can help lower cholesterol and reduce the risk of heart disease.

House Concurrent Resolution 11 would proclaim July 2, 2003 as "Alaska Salmon Day." This proclamation will recognize the salmon industry as a huge part of all Alaskan's lives and raise public awareness of one of Alaska's most important industries by promoting and celebrating the catching and eating of salmon.

# FISCAL NOTE

**STATE OF ALASKA**  
**2003 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: CSHCR 11(FSH)  
 (H) Publish Date: 3/24/03

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Legislature  
 Title "Relating to Alaska Salmon Day." BRU Legislative Council  
 Component Council and Subcommittees  
 Sponsor Representative Wolf Session Expenses  
 Requester House Special Comm on Fisheries,.... Component No. 783

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Personal Services						
Travel						
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
-----------------------------	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2003) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2004 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This resolution has zero fiscal impact on the Legislative Affairs Agency.

Prepared by: Karla Schofield, Deputy Director Phone 465-3852  
 Division: Administrative Services Date/Time 3/13/03 1:46 PM  
 Approved by: Pamela A. Varni, Executive Director Date 3/13/2003  
 Agency: Legislative Affairs Agency

B

HOUSE COMMITTEE REPORT

4.4.0

(9) Date Referred to Committee: March 24, 2003

FURTHER REFERRALS: Today's calendar

Date of Committee Action: \_\_\_\_\_

The RESOURCES Committee considered:

HCR 11

HOUSE CONCURRENT RESOLUTION NO. 11

ALASKA SALMON DAY

Relating to Alaska Salmon Day.

Recommends it be replaced with [ ] HCS or [X] HCS for HCR 11 (FSH) For Senate Bills with new title: [ ] Technical Title [ ] New Title: HCR [ ] Same Title [X] New Title

- [ ] attach amendments
[ ] add new referral to \_\_\_\_\_ Committee
[ ] Letter of Intent \_\_\_\_\_ Committee

- List of Abbrev for Depts.: ADM, CED, COR, CRT, EED, DEC, DFG, GOV, HSS, LEG, LAW, LWF, MVA, DNR, DPS, REV, DOT, UA

Table with 5 columns: List by Dept(s), \*FN#, Fiscal, Indet., Zero. Title: NEW FISCAL NOTES

Table with 5 columns: List by Dept(s), FN#, Fiscal, Indet., Zero. Title: PREVIOUS FISCAL NOTES

Table with 6 columns: Signing with recommendations, Printed Last Name, DP, DNP, NR, AM. Includes handwritten signatures and names like MASEK, LYNN, HEINZE, FOTE.



LOREN LEMAN  
LT. GOVERNOR  
LT\_GOVERNOR@GOV.STATE.AK.US

P.O. Box 110015  
JUNEAU, ALASKA 99811-0015  
(907) 465-3520  
FAX (907) 465-5400  
WWW.GOV.STATE.AK.US/LTGOV

STATE OF ALASKA  
OFFICE OF THE LT. GOVERNOR  
JUNEAU

March 27, 2003

Representative Kelly Wolf  
State Capitol  
Juneau, AK 99801

Dear Representative Wolf:

Re: HCR 11: Alaska Salmon Day

Thank you for sponsoring this resolution proclaiming July 2, 2003, as "Alaska Salmon Day."

The five species of wild Alaska salmon are recognized worldwide as a superior product that provides outstanding nutritional benefits. Our State is well noted, by resident and tourist alike, that Alaska provides incredible opportunities to harvest and enjoy this fish.

Alaskans have historically harvested salmon for hundreds, perhaps thousands of years. The commercial salmon industry has developed and changed during the past century and still contributes greatly to our workforce and economy. Many people now also enjoy recreational harvesting of salmon.

As you know, my own family has been engaged in the harvesting, processing and consumption of salmon for several generations. I heartily endorse your resolution.

My only suggested change is to proclaim all of July as "Alaska Salmon Month!"

Best fishes,

A handwritten signature in cursive script that reads "Loren Leman".

Loren Leman  
Lieutenant Governor



**KENAI PENINSULA BOROUGH**

144 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599  
BUSINESS (907) 262-4441 FAX (907)262-1892

**DALE BAGLEY  
MAYOR**

**VIA FAX: (907) 465-3835**

March 17, 2003

Representative Kelly Wolf  
State Capitol, Room 418  
Juneau, Alaska 99801-1182

Dear Representative Wolf:

It is my understanding that you are proposing a resolution designating July 2, 2003 as Alaska Salmon Day. I would like to add my support.

Sincerely

Dale Bagley  
Kenai Peninsula Borough Mayor



March 12, 2003

Representative Kelly Wolf  
Alaska State House of Representatives  
State Capitol  
Juneau, AK 99811

Dear Rep. Wolf:

Thank you for introducing House Concurrent Resolution 11, relating to Alaska Salmon Day.

Last year, Alaska Salmon Day served as a springboard for promotions of Alaska salmon at supermarkets scattered across the United States. The creation of this special occasion helps grocery retailers generate customer excitement that helps boost sales, and also offers the opportunity to garner media attention. Alaska Salmon Day will support ASMI efforts to educate the American public to "Ask for Alaska" when they buy salmon.

Alaskans also will enjoy the opportunity to celebrate the vital role played by salmon in Alaska's culture and economy. We strongly support the favorable consideration of this resolution and appreciate the efforts of the Alaska State Legislature to assist the businesses that comprise the Alaska salmon industry.

Sincerely,

Ray Riutta  
Executive Director  
Alaska Seafood Marketing Institute



# UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110  
Juneau, Alaska 99801-1172  
(907) 586-2620  
(907) 463-2545 Fax  
E-Mail: [ufa@ufa-fish.org](mailto:ufa@ufa-fish.org)  
[www.ufa-fish.org](http://www.ufa-fish.org)

March 17, 2003

Representative Paul Seaton  
Chair  
House Special Committee on Fisheries  
State Capitol (MS 3100)  
Juneau, AK 99801

Dear Representative Seaton,

Re: HCR 11 Alaska Salmon Day

United Fishermen of Alaska supports the designation of Alaska Salmon Day.

This designation will promote public awareness of the importance of salmon to Alaska's way of life and economy. Not only is salmon a mainstay of the state economy, exports of salmon help reduce the national trade balance of payments deficit.

July 2 is an opportune time since this at the height of the tourism season and will raise the awareness of visitors so that they become "consumers" of this healthy and sustainable food.

We appreciate your efforts to raise public awareness of the importance of salmon.

Sincerely,

Thomas M. Gemmell  
Executive Director

Copy: Representative Kelly Wolf  
Representative Bud Fate  
Representative Beverly Masck  
Representative Peggy Wilson  
Representative Pete Kott

Representative David Gurtenberg  
Representative Ethan Berkowitz  
Representative Cheryll Heinze  
Representative Rulph Samuels

#### MEMBER ORGANIZATIONS

Alaska Crab Coalition • Alaska Druggers Association • Alaska Longline Fishermen's Association • Alaska Trollers Association • Alsea Processors Association • Bristol Bay Reserve  
Chignik Regional Aquaculture Association • Chignik Sainers Association • Concerned Area "M" Fishermen • Cook Inlet Aquaculture Association • Cordova District Fishermen United  
Crab Personalization and Dryback Group • Duxley Island Fish and Chum • Groundfish Forum • Kona Peninsula Fishermen's Association • Kodiak Regional Aquaculture Association  
Kodiak Sainers Association • North Pacific Fishermen's Association • Northern Southeast Regional Aquaculture Association • Old Harbor Fishermen's Association  
Petersburg Vessel Owners Association • Prince William Sound Aquaculture Corporation • Purgis Bay Vessel Owners Association • Sealood Producers Cooperative  
Southeast Alaska Regional Dive Fisheries Association • Southeast Alaska Sainers Association • Southern Southeast Regional Aquaculture Association  
United Cook Inlet Fish Association • United Salmon Association • United Southeast Alaska Gillnetters • Western Gulf of Alaska Fishermen



# Salamatof Seafoods Inc.

---

P.O. Box 1450  
Kenai, Alaska 99611

(907) 283-7000  
FAX (907) 283-8499

March 14, 2003

Dear Legislators:

As a seafood processor, we strongly support the House Concurrent Resolution 11, designating July 2, 2003 as Alaska Salmon Day. This resolution promotes the value of Alaska Salmon, which drives the economic engine of many communities through commercial and tourism industries. It is a pleasure to extend aid to help pass this resolution.

Thank you for your time and consideration of this worthy matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert L. Scott". The signature is written in black ink and is positioned above the printed name.

Robert L. Scott, President  
Salamatof Seafoods, Inc.



**United Cook Inlet Drift Association**

**43961 K-Beach Rd, Ste E, Soldotna, AK 99669 ~ (907) 260-9436 ~ fax (907) 260-9438**

---

March 12, 2003

To: Governor Murkowski  
Senators  
Representatives

Dear Sir, Senator, and Representative:

We wholeheartedly support the resolution to create the Alaska Salmon Day on July 2, 2003. The families and fishermen that commercially, recreationally, and subsistence use salmon in Cook Inlet support the resolution for an Alaska Salmon Day. We would be pleased to participate in appropriate civic functions in celebration and recognition of the role that salmon represent in our society.

Thank you for your time and efforts in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Roland R. Maw".

Roland R. Maw, PhD  
UCIDA Executive Director

Pacific Star Seafoods, Inc.  
P.O. Box 190  
Kenai, AK 99611  
(907) 283-7787 Phone  
(907) 283-9485 Fax

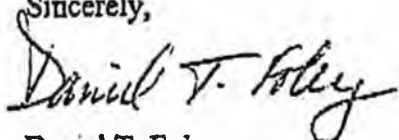
March 13, 2003

Dear Legislators,

As a seafood processor operating in the Cook Inlet area, I strongly support the House Concurrent Resolution 11 designating July 2, 2003 as Alaska Salmon Day. This resolution promotes the value of Alaska salmon, which drives the economic engine of many Alaskan communities through commercial and tourism industries. It is my pleasure to extend any aid in order to help pass such a worthy resolution.

Thank you for your time and consideration over this worthy matter.

Sincerely,



Daniel T. Foley  
President  
Pacific Star Seafoods, Inc.

**KENAI WILD™****Cook Inlet Salmon Brand, Inc**

Representative Kelly Wolf  
State Capital Room 418  
Juneau, Alaska 99801-1182

Dear Representative Wolf:

On behalf of the Cook Inlet Salmon Brand, Inc. (Kenai Wild) I would like to offer our support of your effort to designate July 2, 2003 as Alaska Salmon Day. The commercial fishing industry is an important part of our state's economy and it is nearly 16% of the Kenai Peninsula Borough's economy.

Thank you for recognizing one of our state's heritage industries.

Sincerely,

A handwritten signature in cursive script that reads "Mark Powell".

Mark Powell

President

Cook Inlet Salmon Brand, Inc.



**United Southeast Alaska Gillnetters**

P.O. Box 23378, Ketchikan, AK 99901 (907) 247-2471 Fax (907) 225-0241 Email: [usug@gei.net](mailto:usug@gei.net)

March 26, 2003

The Honorable Kelly Wolf  
House of Representatives  
State Capitol – Room 418  
Juneau, Alaska 99801

Send Via Fax To: 907-465-3835

Dear Mr. Wolf;

The United Southeast Alaska Gillnetters Association (USAG) represents about 150 fishermen who make their living primarily by drift gillnetting for salmon in Southeast Alaska. Many of our members participate in numerous other fisheries such as crab, shrimp, longline, dive fisheries etc. We support HCR 11 that designates July 2, 2003 as Alaska Wild Salmon Day. This is particularly important as a prelude to the July 4<sup>th</sup> holiday as it will draw public awareness to Alaska Wild Salmon during a time when salmon barbeques are especially popular. We appreciate the efforts of yourself and your co-sponsors in introducing and supporting this resolution.

If we can assist in supporting this legislation, please do not hesitate to contact us.

Sincerely,

Kenneth Duckett  
Executive Director

HCR

25

# SENATE COMMITTEE REPORT

DATE: 3/24/04

FURTHER: Resources

DATE TURNED IN TO OFFICE: 3/31/04

State Affairs Committee considered CS FOR HOUSE CONCURRENT RESOLUTION NO. 25(RES)

## HCR 25 ALASKA WILD SALMON WEEK

Relating to Alaska Wild Salmon Week, June 28 - July 4, 2004.

and recommends:

- be replaced with \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- adopt previous \_\_\_\_\_ CS \_\_\_\_\_ (\_\_\_\_\_)
- attached amendment(s)
- adopt Letter of Intent by \_\_\_\_\_ Committee
- further referral to \_\_\_\_\_ Committee

<b>Senate Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<b>House Bill:</b>	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
DCED	1/28/04			✓	

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
KAG	1/28/04			✓	1

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>John J. Cooney</i>	✓			
<i>Bert K. Johnson</i>	✓			
<i>Charles L. ...</i>	✓			
CHAIR: <i>[Signature]</i>	✓			

# FISCAL NOTE

**STATE OF ALASKA**  
**2004 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HCR 25  
 () Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: DCED  
 Title Alaska Wild Salmon Week RDU Executive Admin and Dev (119)  
 Component Office of Economic Development  
 Sponsor Representative Wolf  
 Requester House Fisheries Component No. 2743

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

This resolution designates the week of June 28 - July 4, 2004 as Alaska Wild Salmon Week and calls for the people of Alaska to observe the week by participating in activities focusing on the catching and eating of salmon. This resolution will have no fiscal impact on the operations of the department.

Prepared by: Albert H. Clough, Deputy Commissioner Phone (907) 465-2500  
 Division Office of Economic Development Date/Time 1/29/04 3:12 PM  
 Approved by: Edgar Blatchford, Commissioner Date 1/29/2004  
 Agency Department of Community & Economic Development

# FISCAL NOTE

STATE OF ALASKA  
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1  
Bill Version: HCR 25  
(H) Publish Date: 2/4/04

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Fish and Game  
Title Relating to Alaska Wild Salmon RDU \_\_\_\_\_  
Week \_\_\_\_\_ Component \_\_\_\_\_  
Sponsor Representative Wolf Component No. \_\_\_\_\_  
Requester House Fisheries

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2004) cost: 0.0  
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)  
Passage of this legislation would have no fiscal impact.

Prepared by: Sarah Gilbertson Phone 465-6137  
Division: Legislative Liaison Date/Time 1/28/04 1:11 PM  
Approved by: Commissioner Kevin Duffy Date 1/28/2004  
Agency: Alaska Department of Fish & Game